

11-17-03

FORM PTS-1083



SJS 738

PATENT
Attorney Docket No.: 101.0078-00000
Customer No. 22882
Express Mail Label No. EV321290301 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.) Group Art Unit: 3738
 Serial No.: 09/593,591) Examiner: Paul B. Prebilic
 Filed: June 13, 2000) Confirmation No. 5619
 For: Manufactured Major Long Bone Ring)
 Implant Shaped to Conform to a Prepared)
 Intervertebral Implantation Space)

Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated May 28, 2003 in the above-identified application.

Applicant hereby requests a three (3) month extension of time to respond to the above office action.

The fee has been calculated as shown below:

| | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | (Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | | (Col. 3) PRESENT EXTRA* | LG \$ ENTITY FEE | | ADD'L FEE DUE |
|---|---|---|---|---|-------------------------------|---------------------|------|------------------|
| TOTAL CLAIMS FEE | 264 | - | 147 | = | 117 | LG=\$18 | \$18 | \$2105.00 |
| INDEPENDENT CLAIMS FEE | 9 | - | 5 | = | 4 | LG=\$86 | \$86 | \$344.00 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | LARGE ENTITY FEE = \$290 | | | \$ | | |
| Three (3) month extension fee (large entity) | | | | | | \$950.00 | | |
| | | | | | TOTAL | \$3,400.00 | | |

A check in the amount of \$3,400.00 to cover the above fees and (3) month extension of time fee is enclosed.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

By:

Amedeo F. Ferraro
Registration No. 37,129
Attorney for Applicant

Date: 11-14-03

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TECHNOLOGY CENTER R3700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. EV321290301US

Date of Deposit: November 14, 2003

I hereby certify that:

1. Transmittal Form (in duplicate)
2. Amendment
3. Check in the amount of \$3,400.00 for extra claims fee and a (3) month extension of time fee

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: November 14, 2003

1557 Lake O'Pines Street, NE
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Judy A. Smith
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